Improvement Res. No. 1399-75

vac. of Fairwood Dr.
from ext of Radcliffe
to ext of Oakland Pk. Add.

Resolution Adopted: Aug. 11, 1975

Confirmed: Sept 4, 1975

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed: Oct 2, 1975

B.O. 208-74

DECLARATORY RESOLUTION NO. 1399-75

for the vacation of Fairwood Drive from the east property line of Radcliffe Drive to the east property line of Oakland Park Addition.

ADOPTED: August 11, 1975

ADVERTISE NOTICE TO PROPERTY OWNERS: Aug. 15 & 22, 1975

NOTICES MAILED: August 22, 1975

HEARING ON CONFIRMATION: Thurs. Sept. 4, 1975 at 3:30pm

CONFIRMED: Sept. 4, 1975

ASSESSMENT ROLL ORDERED: 9/4/75-

ASSESSMENT ROLL APPROVED: Sept. 17, 1975

HEARING ON CONFIRMATION OF A. R.: Thurs. Oct. 3, 1975 at 3:30 p.m.

NOTICE SERVED: Sept. 19, 1975

ASSESSMENT ROLL CONFIRMED. October 2, 1975

to D of F.

62-209-8 HI 8/11/75

DECLARATORY RESOLUTION No. 1399 19 75

For the Vacation - ~~Opening - Condemnation of right of way for utility purposes~~ of Fairwood Drive from the east property line of Radcliffe Drive to the east property line of Oakland Park Addition.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate Fairwood Drive from the east property line of Radcliffe Drive to the east property line of Oakland Park Addition.

All as shown by a plan of such proposed Vacation - ~~Opening - Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation - ~~Opening - Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation - ~~Opening - Condemnation of right of way for utility purposes~~ is described as follows: Lots No. 11 and 12, Oakland Park Addition. Said addition is inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5) % per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

The east 14 feet ~~vacation~~ of the above described street shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of ~~sewers, water mains, gas mains, electric pole lines and conduits~~, telephone and telegraph pole lines and conduits.

All Streets, lots and lands affected by the above described are situated in the northeast quarter, Section Thirty, Township 31 North, Range 12 East and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 11 DAY OF August 1975.

Attest:

Secretary Board of Public Works.

Board of Public Works.

STREET TO BE VACATED

N

1399

SEK:vls
1 + 2
4-7-75

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

BEFORE THE CITY PLANNING COMMISSION
OF FORT WAYNE, ALLEN COUNTY, INDIANA

IN RE: VACATION OF A STREET)
)
TO WIT: A PORTION OF FAIRWOOD DRIVE FROM RADCLIFFE DRIVE TO THE EAST TERMINUS OF FAIRWOOD DRIVE IN OAKLAND PARK ADDITION, TO THE CITY OF FORT WAYNE, INDIANA) AMENDED PETITION TO VACATE A STREET

TO: THE FORT WAYNE CITY PLANNING COMMISSION

Comes now your petitioner, David Pickett, by his counsel, and respectfully shows the Commission the following:

1. That petitioner's original Petition was accepted by the City Planning Commission on October 21, 1974.

2. That subsequent to the acceptance, the street engineering department determined that the vacation of "a portion of Fairwood Drive from Radcliffe Drive to an alley in Oakland Park Addition, to the City of Fort Wayne, Indiana" was improper in that, there was no alley.

3. That petitioner has been advised to re-file his Petition and use the phrase "East terminus".

4. That the street involved herein is located in Oakland Park Addition, an Addition to the city of Fort Wayne, Indiana.

5. That the hereinvolved portion of Fairwood Drive dead-ends.

6. That said alley is not being used for vehicular traffic.

7. That the part of Fairwood Drive which petitioner prays vacated lies between Lot No. 11 and Lot No. 12 of Oakland Park Addition.

8. That the petitioner is the owner of Lot No. 11 and Lot No. 12 in said Addition, and by reason of said ownership is the abutting landowner with regard to the property sought to be vacated.

9. That said portion of Fairwood Drive sought to be vacated is unimproved.

WHEREFORE, petitioner prays the Fort Wayne City Planning Commission make a finding, and resolve an order that the street known as Fairwood Drive in Oakland Park Addition to the City of Fort Wayne, Indiana, which is bordered by Radcliffe Drive, and Lot No. 11 of said Addition and Lot No. 12 of said Addition, be vacated from Radcliffe Drive to the East terminus of Fairwood Drive, and for all further just and proper acts and conduct be performed in order that said portion of Fairwood Drive be vacated.

PETERS & TERRILL
Attorneys for Petitioner
1700 Lincoln Bank Tower
Fort Wayne, Indiana 46802
(219) 743-3305.

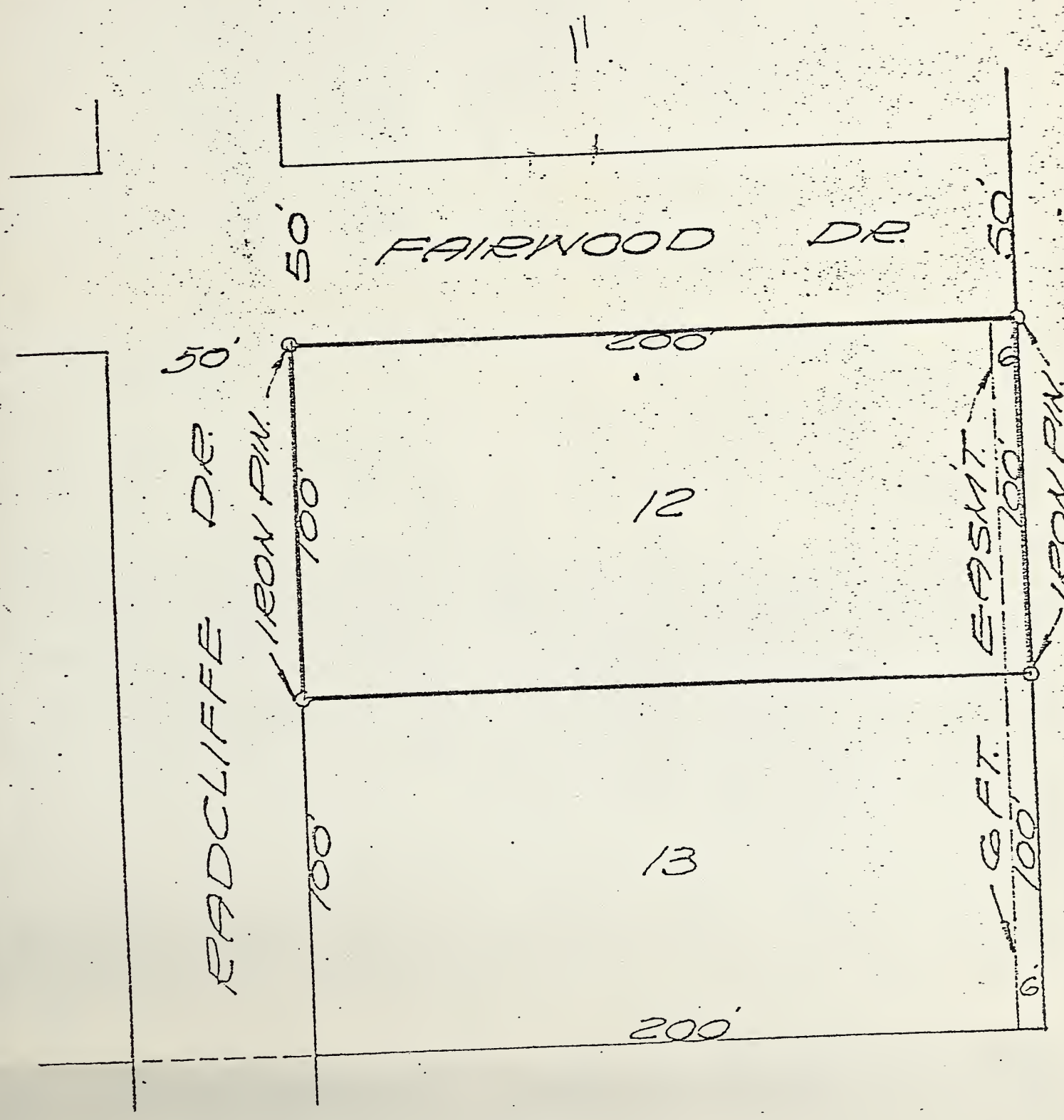
By: Steven E. Kastner
Steven E. Kastner

VERLE J. WAGNER
REGISTERED LAND SURVEYOR
3709 ROBINWOOD DRIVE
FORT WAYNE, INDIANA
PHONE 745-5216

Certificate of Survey.

This document is a certificate that the undersigned Land Surveyor, registered under the laws of Indiana, has made a resurvey of land and real estate situated in Allen County, Indiana, in accordance with the plat thereof on file in the Office of the Recorder of said County and State. The land below described exists in full dimensions as shown herein in feet and is free from encroachments by adjoining landowners. Any exceptions or discrepancies are below noted.

DESCRIPTION OF PROPERTY: Lot Number 12, Oakland Park Addition, to the City of Fort Wayne, Indiana, as recorded in Plat Book 17, page 72, in the Allen County Recorder's Office.



I hereby certify above survey to be correct

Surveyed 9/10/74.

Verle J. Wagner
REGISTERED LAND SURVEYOR IND. NO.

OFFICE OF
BOARD OF PUBLIC WORKS

FORT WAYNE 2, INDIANA

B.O. 208-74

Date May 12, 1975

To Street Engineering

Subject Vacation - Fairwood Drive

We have received the attached copy of petition being submitted to City Plan for their action.

When this has been approved by City Council, please prepare Resolution and necessary documents for Board's action.

Dr. Jerry D. Boswell
Carl E. O'Neal
BOARD OF PUBLIC WORKS

/bt

Attachment: Petition

RECEIVED
MAY 16 1975
CITY ENGINEERING DEPT.

Signed

Reply:

August 4, 1975

Declaratory Resolution No. 1399-75, drawing and property ownership list completed and attached.

The east 14 feet of the street should be retained for easements.

APPROVED:

Kenneth N. Traylor
Street Engineer

Ron Bonar, City Engineer

lc
attachs.

62-209-8

Signed

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

OFFICE OF
BOARD OF PUBLIC WORKS

FORT WAYNE 2, INDIANA

B.O. ~~208~~ 208-74

Date September 4, 1975 62-244-3

To STREET ENGINEERING DEPARTMENT

Subject Dec. Res. No. 1399-75 vac. of Fairwood Dr., etc.

CONFIRMED.

Prepare Assessment Roll of Benefits and Damages.

RECEIVED
SEP 8 1975
CITY ENGINEERING DEPT.

J. D. BOSWELL
C. E. O'NEAL
B. L. NAULT
BOARD OF PUBLIC WORKS

ajf

attached - P.O. List

Signed

Reply:
September 12, 1975

Attached find completed assessment roll for Benefits and Damages for Declaratory Resolution No. 1399-75.

Kenneth N. Taylor
KNT/mr

Attachs.

Ronald Bonar
Ronald Bonar, City Engineer

62-261-6 9/17/75

Signed

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

B.O. 2-8-74 September 4, 1975 62-244-3

STREET ENGINEERING DEPARTMENT

Dec. Res. No. 1399-75 vac. of Fairwood Dr., etc.

CONFIRMED.

Prepare Assessment Roll of Benefits and Damages.

J. D. BOSWELL
C. E. O'NEAL
B. L. NAULT
BOARD OF PUBLIC WORKS

ajf

attached - P.O. List

NOTICE TO PROPERTY OWNERS

Notice is hereby given by the Board of Public Works of the City of Fort Wayne, Indiana, that on the 11th day of August, 1975 the said Board deeming it necessary to make certain improvements adopted the following:

DECLARATORY RESOLUTION NO. 1399-1975

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate Fairwood Drive from the east property line of Oakland Park Addition.

All as shown by a plan of such proposed Vacation as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana.

The cost of said Vacation shall be assessed against the property beneficially affected thereby.

The Board of Public Works has fixed Thursday, September 4, 1975 at 3:30 p.m., as the date on which remonstrances will be heard and considered from persons interested therein or affected thereby and on said day the Board will meet at its office for the purpose of taking final action thereon.

Jerry D. Boswell
Carl E. O'Neal
Betty Lou Nault
BOARD OF PUBLIC WORKS

ATTEST: Edna I. Smith, Clerk

PUBLISH: August 15 and 22, 1975.

ep

copy

NOTICE TO PROPERTY OWNER

Office Board of Public Works
City Hall
Fort Wayne, Indiana.....August 22, 1975.....

To..M.V.V. ASSOCIATES.....

22255 Greenfield Road
Southfield, Michigan 48075

You are hereby notified that the Board of Public Works, of the City of Fort Wayne, Indiana, did adopt Declaratory Resolution No....1399-1975..... providing for the vacation of Fairwood Drive from the east property line of Oakland Park Addition.

The Board has fixed Thursday, September 4, 1975, 3:30 p.m., Rm. 910, City-County Bldg. a date and time when they will hear and consider objections or remonstrances from all persons whose property will be affected by said Declaratory Resolution.

PROPERTY DESCRIPTION:

S. 1052.64 of N. 1717.96 of W662.4 of E 1093.4 W½ NE½ Ex. Tracts Sold Off

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

sent to: M.V.V. Associates
22255 Greenfield Rd.
Southfield, Mich. 48075

THE CITY OF FORT WAYNE
board of public works

September 19, 1975

Re: Declaratory Res. No. 1399-1975

TO WHOM IT MAY CONCERN:

Pursuant to NOTICE OF ASSESSMENT OF BENEFITS AND DAMAGES served to you on September 18, 1975, this is to advise that the date of the meeting for HEARING shown was incorrect.

Please be advised that the Board of Public Works will meet, in its office, at 3:30 p.m., on the 2nd day of October, 1975, for the purpose of hearing and considering any remonstrance which you may desire to present in regard to the amount of your assessment of benefits and damages.

Yours truly,

J. D. BOSWELL
C. E. O'NEAL
B. L. NAULT
BOARD OF PUBLIC WORKS

/ajf

Sent to: David & Betty A. Pickett
5845 Radcliffe Dr. Ft. Wayne, Ind.

THE CITY OF FORT WAYNE
board of public works

September 19, 1975

Re: Declaratory Res. 1399-1975

TO WHOM IT MAY CONCERN:

Pursuant to NOTICE OF ASSESSMENT OF BENEFITS AND DAMAGES served to you on September 18, 1975, this is to advise that the date of the meeting for HEARING shown was incorrect.

Please be advised that the Board of Public Works will meet, in its office, at 3:30 p.m., on the 2nd day of October, 1975, for the purpose of hearing and considering any remonstrance which you may desire to present in regard to the amount of your assessment of benefits and damages.

Yours truly,

J. D. BOSWELL
C. E. O'NEAL
B. L. NAULT
BOARD OF PUBLIC WORKS

/ajf

THE CITY OF FORT WAYNE
board of public works

September 30, 1975

SUBJECT: PUBLIC HEARING

Dear Councilman Stier:

Please be advised that the Board has scheduled a public hearing Thursday, October 2, 1975 at 3:30 p.m. concerning the following project(s):

HEARING ON CONFIRMATION OF ASSESSMENT ROLL:

Dec. 1399-75 Vac. of Fairwood

Continued from Sept. 18, 1975
HEARING ON CONFIRMATION:

Sdw. Res. No. 5705-1975 Gaywood Drive

You are invited to attend this public hearing and hear the comments of your constituents regarding the project(s). If you have any questions on the project(s), please feel free to call.

Sincerely,

Jerry D. Boswell
Carl E. O'Neal
Betty Lou Nault
BOARD OF PUBLIC WORKS

ep

cc: Mayor

copy

NOTICE TO PROPERTY OWNER

Office Board of Public Works
City Hall
Fort Wayne, Indiana August 22, 1975

To David & Betty A. Pickett
5845 Radcliffe Dr.
Fort Wayne, Indiana 46816

You are hereby notified that the Board of Public Works, of the City of Fort Wayne, Indiana, did adopt Declaratory Resolution No. 1399-1975 providing for the vacation of Fairwood Drive from the east property line of Oakland Park Addition.

The Board has fixed Thursday, September 4, 1975, 3:30 p.m., Rm. 910, City-County Bldg. a date and time when they will hear and consider objections or remonstrances from all persons whose property will be affected by said Declaratory Resolution.

PROPERTY DESCRIPTION:

Lot 11 Oakland Park Add.

Lot 12 " " "

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

208-74 December 3, 1974

Ken Traylor, Street Engineer

Vacation - Portion of Fairwood Drive from Radcliffe to alley in Oakland Park Addition

We have received the attached copy of petition being submitted to City Plan for their action.

When this has been approved by City Council, please prepare Resolution and necessary documents for Board's action.

BOARD OF PUBLIC WORKS

_____
CLERK

EIS:bt

Attachment

M E M O R A N D U M

BOARD OF PUBLIC WORKS
RECEIVED
OCT 24 1974

DATE: October 23, 1974

TO: Edna Smith - Board of Works

FROM: Patsie Rumsey - City Plan

SUBJECT: Vacation of a portion of Fairwood Drive

208

I have enclosed the following:

Petition to vacate a portion of Fairwood Drive.

Resolution of the City Plan Commission, approving this vacation, at their regular meeting held October 21, 1974

Copy of Communications letter to the Common Council
Request for Action
Digest Sheet
Map

Please note: This vacation petition has not been assigned a board number.

If there are any questions, please call me.

Patsie

STATE OF INDIANA) BEFORE THE CITY PLANNING COMMISSION
) SS:
COUNTY OF ALLEN) OF FORT WAYNE, INDIANA, ALLEN COUNTY

IN RE: VACATION OF A STREET

TO WIT: A PORTION OF FAIRWOOD)
DRIVE FROM RADCLIFFE)
DRIVE TO AN ALLEY IN) PETITION TO VACATE
OAKLAND PARK ADDITION,) A STREET
TO THE CITY OF FORT)
WAYNE, INDIANA)

TO: THE FORT WAYNE CITY PLANNING COMMISSION

Comes now your Petitioner, David Pickett, by his Counsel, and respectively shows the Commission the following:

1. The street involved herein is located in Oakland Park Addition, an Addition to the City of Fort Wayne, Indiana.

2. That the herein involved portion of Fairwood Drive dead-ends into an alley.

3. That said alley is not being used for vehicular traffic.

4. That the part of Fairwood Drive which petitioner prays will be vacated lies between Lot No. 11 and Lot No. 12 of Oakland Park Addition.

5. That the petitioner is the owner of Lot No. 11 and Lot No. 12 in said Addition, and by reason of said ownership is the abutting landowner with regard to the property sought to be vacated.

6. That Turtle Creek Apartments are situated behind petitioners lot, and that petitioner has conversed with the manager of said Turtle Creek Apartments, and that said manager has no objection with regard to the portion of Fairwood Drive sought to be vacated.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

BEFORE THE CITY PLANNING COMMISSION
OF FORT WAYNE, INDIANA, ALLEN COUNTY

IN RE: VACATION OF A STREET

TO WIT: A PORTION OF FAIRWOOD DRIVE FROM RADCLIFFE DRIVE TO AN ALLEY IN OAKLAWN PARK ADDITION, TO THE CITY OF FORT WAYNE, INDIANA

PETITION TO VACATE A STREET

TO: THE FORT WAYNE CITY PLANNING COMMISSION

Comes now your Petitioner, David Pickett, by his Counsel, and respectively shows the Commission the following:

1. The street involved herein is located in Oakland Park Addition, an Addition to the City of Fort Wayne, Indiana.

2. That the begin involved portion of Fairwood Drive dead-ends into an alley.

3. That said alley is not being used for vehicular traffic.

4. That the part of Fairwood Drive which petitioner prays will be vacated lies between Lot No. 11 and Lot No. 12 of Oakland Park Addition.

5. That the petitioner is the owner of Lot No. 11 and Lot No. 12 in said Addition and by reason of said ownership is the abutting landowner with regard to the property sought to be vacated.

6. That Turtle Creek Apartments are situated behind petitioners lot, and that petitioner has conversed with the manager of said Turtle Creek Apartments, and that said manager has no objection with regard to the portion of Fairwood Drive sought to be vacated.

7. That said portion of Fairwood Drive sought to be vacated is unimproved.

8. That the alley which Fairwood Drive dead-ends into is overgrown with grass and weeds, and that there is no vehicular traffic making use of said alley.

WHEREFORE, Petitioner prays that the Fort Wayne City Planning Commission make a finding, and resolve and order that the Street known as Fairwood Drive in Oakland Park Addition, to the City of Fort Wayne, Indiana, which is bordered by Radcliffe Drive, and Lot No. 11 of said Addition and an alley, and Lot No. 12 of said Addition, be vacated, and that all further just and proper acts and conduct be performed in order that said portion of Fairwood Drive be vacated.

PETERS & TERRILL
ATTORNEYS FOR PETITIONER
1700 LINCOLN BANK TOWER
FORT WAYNE, INDIANA 46802
TELEPHONE: (219) 743-3305

By Steven E. Kastner
Steven E. Kastner

7. That said portion of Fairwood Drive cannot be vacated in and proved.

8. That the alley which Fairwood Drive dead-ends into is overgrown with grass and weeds, and that there is no substantial traffic making use of said alley.

WHEREFORE, petitioner prays that the Fort Wayne City Planning Commission make a finding, and resolve and order that the Street known as Fairwood Drive in Oakland Park Addition to the City of Fort Wayne, Indiana, which is bordered by Radcliffe Drive, and Lot No. 11 of said Addition and an alley, and Lot No. 12 of said Addition, be vacated, and that all further just and proper acts and conduct be performed in order that said portion of Fairwood Drive be vacated.

PETERS & TERRILL
ATTORNEYS FOR PETITIONER
1700 LINCOLN BANK TOWER
FORT WAYNE, INDIANA 46802
TELEPHONE: (219) 743-2345

By _____
Steven L. Kramer

STATE OF INDIANA) BEFORE THE CITY PLANNING COMMISSION
) SS:
COUNTY OF ALLEN) OF FORT WAYNE, INDIANA, ALLEN COUNTY

IN RE: VACATION OF A STREET

TO WIT: A PORTION OF FAIRWOOD DRIVE FROM RADCLIFFE DRIVE TO AN ALLEY IN OAKLAND PARK ADDITION, TO THE CITY OF FORT WAYNE, INDIANA

PETITION TO VACATE A STREET

TO: THE FORT WAYNE CITY PLANNING COMMISSION

Comes now your Petitioner, David Pickett, by his Counsel, and respectively shows the Commission the following:

1. The street involved herein is located in Oakland Park Addition, an Addition to the City of Fort Wayne, Indiana.

2. That the herein involved portion of Fairwood Drive dead-ends into an alley.

3. That said alley is not being used for vehicular traffic.

4. That the part of Fairwood Drive which petitioner prays will be vacated lies between Lot No. 11 and Lot No. 12 of Oakland Park Addition.

5. That the petitioner is the owner of Lot No. 11 and Lot No. 12 in said Addition, and by reason of said ownership is the abutting landowner with regard to the property sought to be vacated.

6. That Turtle Creek Apartments are situated behind petitioners lot, and that petitioner has conversed with the manager of said Turtle Creek Apartments, and that said manager has no objection with regard to the portion of Fairwood Drive sought to be vacated.

7. That said portion of Fairwood Drive sought to be vacated is unimproved.

8. That the alley which Fairwood Drive dead-ends into is overgrown with grass and weeds, and that there is no vehicular traffic making use of said alley.

WHEREFORE, Petitioner prays that the Fort Wayne City Planning Commission make a finding, and resolve and order that the Street known as Fairwood Drive in Oakland Park Addition, to the City of Fort Wayne, Indiana, which is bordered by Radcliffe Drive, and Lot No. 11 of said Addition and an alley, and Lot No. 12 of said Addition, be vacated, and that all further just and proper acts and conduct be performed in order that said portion of Fairwood Drive be vacated.

PETERS & TERRILL
ATTORNEYS FOR PETITIONER
1700 LINCOLN BANK TOWER
FORT WAYNE, INDIANA 46802
TELEPHONE: (219) 743-3305

By Steven E. Kastner
Steven E. Kastner

RESOLUTION

WHEREAS, David Pickett, has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street in Allen County, Indiana, to-wit:

> A portion of Fairwood Drive from Radcliffe Drive to an alley in Oakland Park Addition, to the City of Fort Wayne, Indiana,

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Ind. Ann. Stat. § 53-744 (Burns 1964 Repl. Ed.); and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on the 21st day of October, 1974, at 7:30 o'clock P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public street;

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street or alley hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street hereinbefore described be and the same is hereby approved;

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of streets in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, James E. Kelley, President of the Fort Wayne City Plan Commission, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held on the 21st of October, 1974, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 21st DAY OF OCTOBER, 1974.

FORT WAYNE CITY PLAN COMMISSION

James Kelley

President

THE CITY OF FORT WAYNE

October 22, 1974

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution for the vacation of the following:

A portion of Fairwood Drive from Radcliffe Drive to an alley in Oakland Park Addition.

which was approved by the City Plan Commission at its regular meeting held October 21, 1974.

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed
this 22nd day of October, 1974.

Thomas J. Offerle
Secretary

Number assigned by Dave Keller's Office: # 3520

REQUEST FOR ACTION

To: City Attorney David B. Keller
or
Associate City Attorney Mr. Ralph Blume / 344 Utility Building

From: (Name, Title & Department) COMMUNITY DEVELOPMENT AND PLANNING /

Division of Long Range Planning and Zoning (CITY PLAN COMMISSION)

Approved by Neil Beck
(Person authorized to forward legal work)

Date: October 22, 1974

Subject: Street vacation ordinance
(File subject designation)

* * * * * * * * * * *

File # Assigned by Records Librarian

Date:

* * * * * * * * * * *

Action Requested: Preparation of an ordinance for street vacation.

(Continue on reverse side, if necessary)

cc: City Attorney David B. Keller
(If request originally sent to an Associate City Attorney)
Mayor Ivan A. Lebamoff
Department Head of Requesting Party

Number assigned by Dave Keller's Office:

Admn. Appr.

TITLE OF ORDINANCE Street vacation ordinance

DEPARTMENT REQUESTING ORDINANCE COMMUNITY DEVELOPMENT AND PLANNING / DIVISION OF LONG RANGE PLANNING AND ZONING

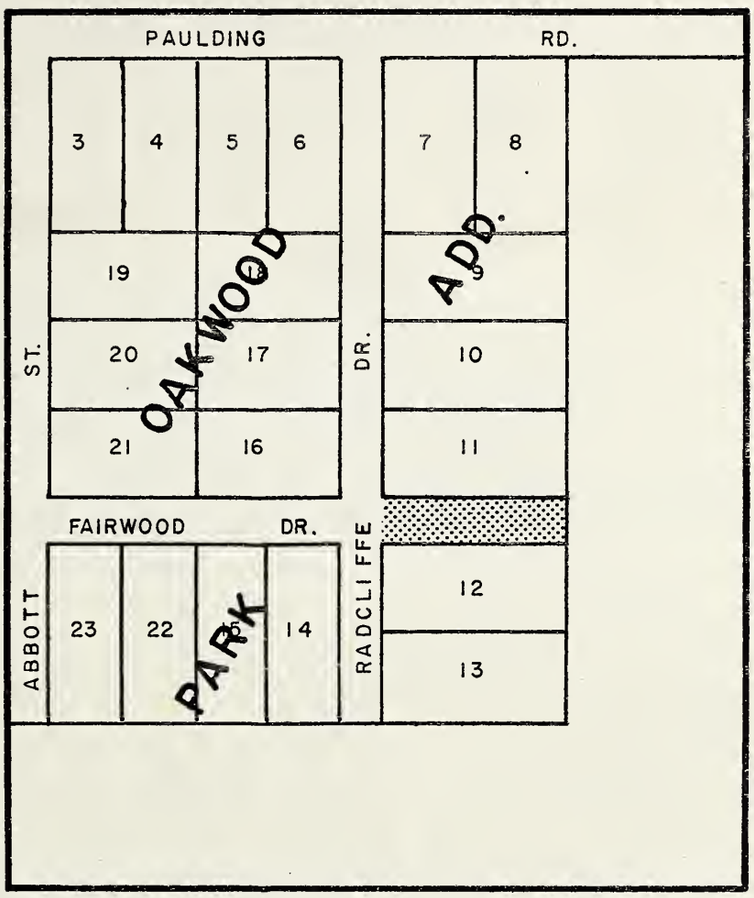
SYNOPSIS OF ORDINANCE Petitioners requesting the vacation of the following: A portion of Fairwood Drive from Radcliffe Drive to an alley in Oakland Park Addition, to the City of Fort Wayne, Indiana.

EFFECT OF PASSAGE Street is unopened and unimproved. If vacation, street will be utilized by abutting property owners.

EFFECT OF NON-PASSAGE Street will remain a dedicated street, although unopened and unimproved.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) None

ASSIGNED TO COMMITTEE (J.N.)



STREET TO BE VACATED

N

DATE 10-16-74

B.O. 208-74 May 12, 1975

Street Engineering

Vacation - Fairwood Drive

We have received the attached copy of petition being submitted to City Plan for their action.

When this has been approved by City Council, please prepare Resolution and necessary documents for Board's action.

Dr. Jerry D. Boswell
Carl E. O'Neal
BOARD OF PUBLIC WORKS

/bt

Attachment: Petition

ORIGINAL

BILL NO. G-75-05-46

GENERAL ORDINANCE NO. G-13-75

AN ORDINANCE amending General Ordinance No. G-97
by authorizing the vacation of a portion
of Fairwood Drive

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a portion of Fairwood Drive having been filed with the Fort Wayne City Plan Commission on April 18, 1975 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1974 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following portion of Fairwood Drive, Fort Wayne, Allen County, Indiana, to-wit:

> Fairwood Drive, extending east from the east right-of-way of Radcliff Dr., to its terminus, lying between Lots # 11 and # 12 of Oakland Park Addition

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Eugene Nowak
Councilman

APPROVED AS TO FORM
AND LEGALITY,
CITY ATTORNEY

City of Fort Wayne

JUL 22 1975

ENGINEERING DEPARTMENT

CITY—COUNTY BUILDING
ONE MAIN STREET

FORT WAYNE, INDIANA 46802

Room 740

NOTED
☑ J.D.B.
☑ C.E.O.
☑ B.L.N.

July 22, 1975

Northern Indiana Public Service Company
Indiana & Michigan Electric Company
General Telephone Company of Indiana

We have received a petition to vacate the following:

Fairwood Drive from the east property line of Radcliffe Drive to the east property line of Oakland Park Addition.

Please check your easement requirements on the enclosed post card and return to us as soon as possible.

Yours truly,

Kenneth N. Traylor
Street Engineer

lc
attachs.

cc: Board of Public Works
(Board Order 208-74)

July 22, 1975

Patsie Rumsey
City Plan Department

Tom Manny
Traffic Engineer

Please submit your opinion and recommendation on the following proposed vacations:

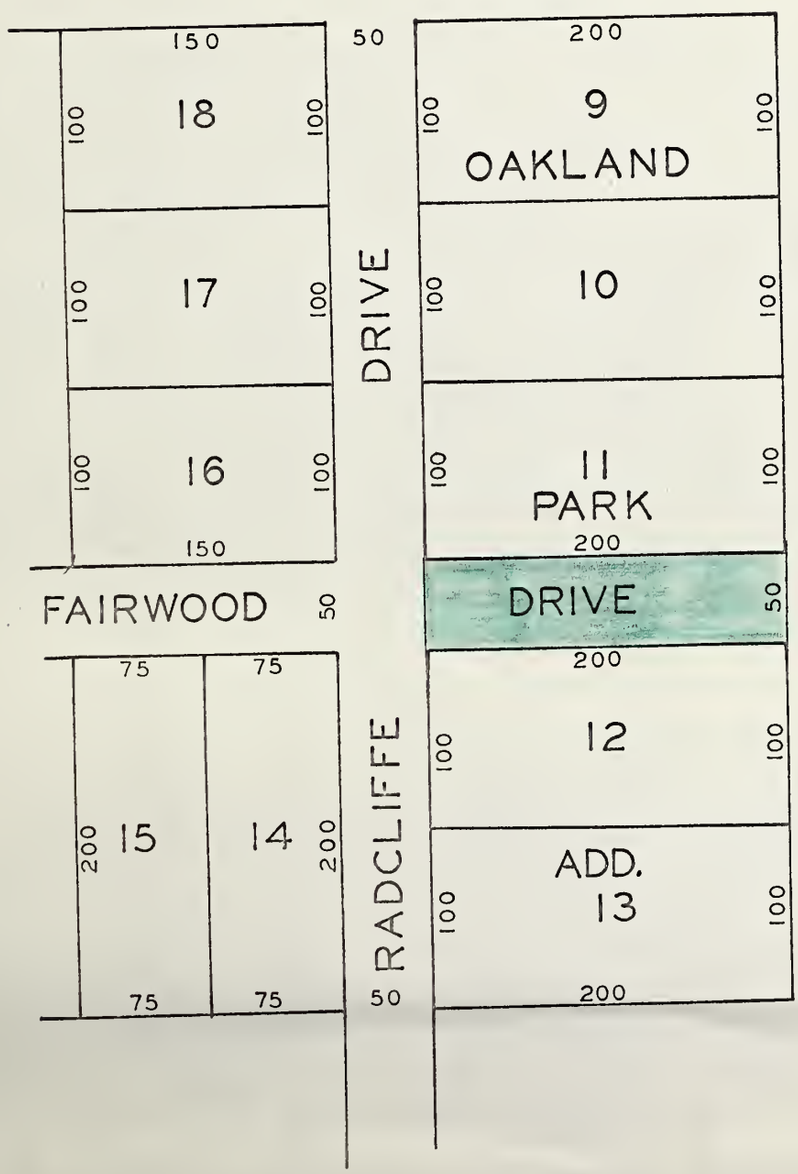
Fairwood Drive from the east property line of Radcliffe Drive to the east property line of Oakland Park Addition.

Kenneth N. Traylor
Street Engineer

lc
attachs.

cc: Board of Public Works
(Board Order No. 208-74)

STREET TO BE VACATED



M E M O R A N D U M

B.O. 208-74

DATE: May 9,1975

TO: Edna Smith - Board of Works

FROM: Patsie - City Plan

SUBJECT: Vacation of Fairwood Drive

Edna: Please note that this is a re-submission of an amended petition. The first one was approved by the Plan Commission, but had to be resubmitted because of incorrect legal discription.

I have enclosed the following:

Petition
Resolution of the City Plan approving this vacation
at their meeting held April 21, 1975

Letter to the Common Council
Request for Action
Digest Sheet
Map

If there are any questions, please call me.

Patsie

Number assigned by Dave Keller's Office: # 3730

REQUEST FOR ACTION

TO: City Attorney David B. Keller
or
Associate City Attorney Mr. Ralph Blume / 344 Utility Building

FROM: (Name, Title & Department) COMMUNITY DEVELOPMENT AND PLANNING
Division of Long Range Planning and Zoning

Approved by [signature]
(Person authorized to forward legal work)

Date: May 9, 1975

Subject: Street Vacation
(File subject designation)

* * * * * * * * * * *

File # Assigned by Records Librarian

Date:

* * * * * * * * * * *

Action Requested: Preparation of a street vacation ordinance for introduction into Council.

(Continue on reverse side, if necessary

cc: City Attorney David B. Keller
(If request originally sent to an Associate City Attorney)
Mayor Ivan A. Lebamoff
Department Head of Requesting Party

Number assigned by Dave Keller's office: # 3730 Admn. Appr.

DIGEST SHEET

TITLE OF ORDINANCE Street Vacation Ordinance

DEPARTMENT REQUESTING ORDINANCE COMMUNITY DEVELOPMENT AND PLANNING

SYNOPSIS OF ORDINANCE Petitioners are requesting the vacation of the following described street:

Fairwood Drive from the east right-of-way of Radcliffe Drive to its east terminus located between Lots # 11 and # 12 of Oakland Park Addition.

NOTE: This vacation was approved previously by the plan commission, but had to be resubmitted because of incorrect legal description.

EFFECT OF PASSAGE

If vacated, street would be utilized by abutting property owners.

EFFECT OF NON-PASSAGE Street would remain unopened and unimproved.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) none

ASSIGNED TO COMMITTEE (J.N.)

COMMUNITY DEVELOPMENT AND PLANNING
long range planning and zoning

May 9, 1975

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution for the vacation of the following:

Fairwood Drive, extending east from the east right-of-way of Radcliff Dr., to its terminus, lying between Lots # 11 and # 12 of Oakland Park Addition.

which was approved by the City Plan Commission at its regular meeting held April 21, 1975.

Respectfully submitted

CITY PLAN COMMISSION

Certified and signed this
9th day of May, 1975.

Charles N. Hall
Secretary

an equal opportunity employer

RESOLUTION

WHEREAS, David Pickett, has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street in Allen County, Indiana, to-wit:

> A portion of Fairwood Drive from Radcliffe Drive to the East terminus of Fairwood Drive in Oakland Park Addition, to the City of Fort Wayne, Allen County, Indiana,

all in accordance with the terms of Section 44, Chapter 174 of the ACts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Ind. Ann. Stat. § 53-744 (Burns 1964 Repl.Ed.); and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and

WHEREAS, said public hearing was held on the 21st day of May, 1975 at 7:30 o'clock p.m., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public street;

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street hereinbefore described be and the same is hereby approved;

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of streets in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, James E. Kelley Vice President of the Fort Wayne City Plan Commission, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held on the 21st day of ~~May~~ April, 1975, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 21st DAY OF April, 1975.

FORT WAYNE CITY PLAN COMMISSION

Vice President

December 6, 1974

Peters & Terrill
1700 Lincoln Bank Tower
Fort Wayne, Indiana 46802

Attention: Mr. Steven E. Kastner

RE: Vacation of Part of Fairwood Drive, B.O. 208-1974
Vacation of Portion of Shoreworth Trail, B.O. 175-1974

Dear Mr. Kastner:

Reference your letters to the Board of Works on the status of the above Vacations, this is to advise that subject Vacations are in the Street Engineering Department for routing to the various utilities. I have been advised it may be approximately two months before a Resolution is submitted to the Board for adoption and handling.

For information in the interim, contact Mr. Max VanCamp in the Street Engineering Department, 423-7161.

Very truly yours,

BOARD OF PUBLIC WORKS

EDNA I. SMITH, CLERK

EIS:bt

cc: Max VanCamp

PETERS & TERRILL
ATTORNEYS AND COUNSELORS AT LAW
1700 LINCOLN BANK TOWER
FORT WAYNE, INDIANA 46802

DAVID PETERS
PHILIP R. TERRILL
JOHN S. KNIGHT
STEVEN E. KASTNER

AREA CODE 219
TELEPHONE 743-3305

December 4, 1974

Edna Smith
c/o Fort Wayne Board of Works
9th Floor
City-County Building
Fort Wayne, Indiana 46802

Re: Vacation of a part of Fairwood Drive

Dear Mrs. Smith:

On the 21st day of October, 1974, the City Plan Commission passed a recommendation for the vacation of a part of Fairwood Drive from Radcilffe Drive to an alley, of Oakland Park Addition, to the City of Fort Wayne, Indiana.

Would you please advise as to the status of same.

Thank you for your cooperation in this matter.

Very truly yours,

PETERS & TERRILL

Steven E Kastner

Steven E. Kastner

SEK:vls

cc: Mr. David Pickett

THE CITY OF FORT WAYNE
board of public works

August 13, 1975

SUBJECT: PUBLIC HEARING

Dear Councilman Stier:

Please be advised that the Board has scheduled a public hearing Thursday, September 4, 1975 at 3:30 p.m. concerning the following project(s):

HEARING ON CONFIRMATION:

Declaratory Resolution No. 1399-1975

Vacation of Fairwood Drive

You are invited to attend this public hearing and hear the comments of your constituents regarding the project(s). If you have any questions on the project(s), please feel free to call.

Sincerely,

Jerry D. Boswell
Carl E. O'Neal
Betty Lou Nault
BOARD OF PUBLIC WORKS

ep

cc: Mayor

CORRECTED

NOTICE TO PROPERTY OWNER

Office Board of Public Works
City Hall
Fort Wayne, Indiana.....August 22, 1975.....

To David & Betty A. Pickett
5845 Radcliffe Dr.
Fort Wayne, Indiana 46816

You are hereby notified that the Board of Public Works, of the City of Fort Wayne, Indiana, did adopt Declaratory Resolution No...1399-1975..... providing for the vacation of Fairwood Drive from the east property line of Radcliffe Drive to the east property line of Oakland Park Addition.

The Board has fixed Thursday, Sept. 4, 1975, 3:30 p.m. Rm. 910 City-County Bldg. a date and time when they will hear and consider objections or remonstrances from all persons whose property will be affected by said Declaratory Resolution.

PROPERTY DESCRIPTION:

Lot 11 Oakland Park Add.

Lot 12 " " "

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

NOTICES MAILED OR SERVED
8-26-75
By ep

CORRECTED

NOTICE TO PROPERTY OWNER

Office Board of Public Works
City Hall
Fort Wayne, Indiana.....August 22, 1975.....

To M. V. V. ASSOCIATES
22255 Greenfield Road
Southfield, Michigan 48075

You are hereby notified that the Board of Public Works, of the City of Fort Wayne, Indiana, did adopt Declaratory Resolution No...1399-1975..... providing for the vacation of Fairwood Drive from the east property line of Radcliffe Drive to the east property line of Oakland Park Addition.

The Board has fixed Thursday, Sept. 4, 1975, 3:30 p.m., Rm. 910 City-County Bldg. a date and time when they will hear and consider objections or remonstrances from all persons whose property will be affected by said Declaratory Resolution.

PROPERTY DESCRIPTION:

S. 1052.64 of N. 1717.96 of W662.4 of E 1093.4 W½ NE½ Ex. Tracts Sold Off

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

NOTICES MAILED OR SERVED
8-26-75
By epa

ORIGINAL

B.O. 208-74

BOARD OF PUBLIC WORKS
RECEIVED
DEC - 3 1974

BILL NO. G-74-11-13

GENERAL ORDINANCE NO. G-31-74

AN ORDINANCE amending General Ordinance No. G-97
by authorizing the vacation of a certain street
in the City of Fort Wayne

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain street having been filed with the Fort Wayne City Plan Commission and resolution having been duly adopted by the Fort Wayne City Plan Commission on October 21, 1974 following a public hearing thereon, all in accordance with Section 44, Chapter 174 of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public street in Fort Wayne, Allen County, Indiana, to-wit:

A portion of Fairwood Drive from Radcliffe Drive to an alley in Oakland Park Addition

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Stuckey
Councilman

APPROVED AS TO FORM
AND LEGALITY,
CITY ATTORNEY

Hinga, and duly adopted, read the second time by title and referred to the Committee on Rules (~~and the City~~ Plan ~~Commission for recommendation) and Public Hearing to be held after due~~ legal notice, ~~at the Council Chambers, City-County Building, Fort Wayne, Indiana, on~~ _____, the _____ day of _____, 197_____, at _____ ~~o'clock P.M., E.S.T.~~

Date: 11-12-74.

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. Passed (~~LOST~~) by the following vote:

AYES 9, NAYS 0, ABSTAINED _____, ABSENT _____ to-wit:

BURNS	X			
HINGA	X			
KRAUS	X			
MOSES	X			
NUCKOLS	X			
SCHMIDT, D.	X			
SCHMIDT, V.	X			
STIER	X			
TALARICO	X			

DATE: 11/26/74

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~Zoning~~ Map) (General) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (~~Resolution~~) No. 12-31-74. on the 26th day of November, 1974.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of November, 1974, at the hour of 10:00 o'clock A M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 2nd day of December, 1974, at the hour of 1:30 o'clock P M., E.S.T.

Lee A. Ross
MAYOR

SEK:vls
1 + 2
4-7-75

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

BEFORE THE CITY PLANNING COMMISSION
OF FORT WAYNE, ALLEN COUNTY, INDIANA

IN RE: VACATION OF A STREET)
)
TO WIT: A PORTION OF FAIRWOOD) AMENDED PETITION TO VACATE A STREET
DRIVE FROM RADCLIFFE DRIVE)
TO THE EAST TERMINUS OF)
FAIRWOOD DRIVE IN OAKLAND)
PARK ADDITION, TO THE CITY)
OF FORT WAYNE, INDIANA)

TO: THE FORT WAYNE CITY PLANNING COMMISSION

Comes now your petitioner, David Pickett, by his counsel, and respectfully shows the Commission the following:

1. That petitioner's original Petition was accepted by the City Planning Commission on October 21, 1974.

2. That subsequent to the acceptance, the street engineering department determined that the vacation of "a portion of Fairwood Drive from Radcliffe Drive to an alley in Oakland Park Addition, to the City of Fort Wayne, Indiana" was improper in that, there was no alley.

3. That petitioner has been advised to re-file his Petition and use the phrase "East terminus".

4. That the street involved herein is located in Oakland Park Addition, an Addition to the city of Fort Wayne, Indiana.

5. That the hereinvolved portion of Fairwood Drive dead-ends.

6. That said alley is not being used for vehicular traffic.

7. That the part of Fairwood Drive which petitioner prays vacated lies between Lot No. 11 and Lot No. 12 of Oakland Park Addition.

8. That the petitioner is the owner of Lot No. 11 and Lot No. 12 in said Addition, and by reason of said ownership is the abutting landowner with regard to the property sought to be vacated.

9. That said portion of Fairwood Drive sought to be vacated is unimproved.

WHEREFORE, petitioner prays the Fort Wayne City Planning Commission make a finding, and resolve an order that the street known as Fairwood Drive in Oakland Park Addition to the City of Fort Wayne, Indiana, which is bordered by Radcliffe Drive, and Lot No. 11 of said Addition and Lot No. 12 of said Addition, be vacated from Radcliffe Drive to the East terminus of Fairwood Drive, and for all further just and proper acts and conduct be performed in order that said portion of Fairwood Drive be vacated.

PETERS & TERRILL
Attorneys for Petitioner
1700 Lincoln Bank Tower
Fort Wayne, Indiana 46802
(219) 743-3305

By: Steven E. Kastner
Steven E. Kastner

Certificate of Survey.

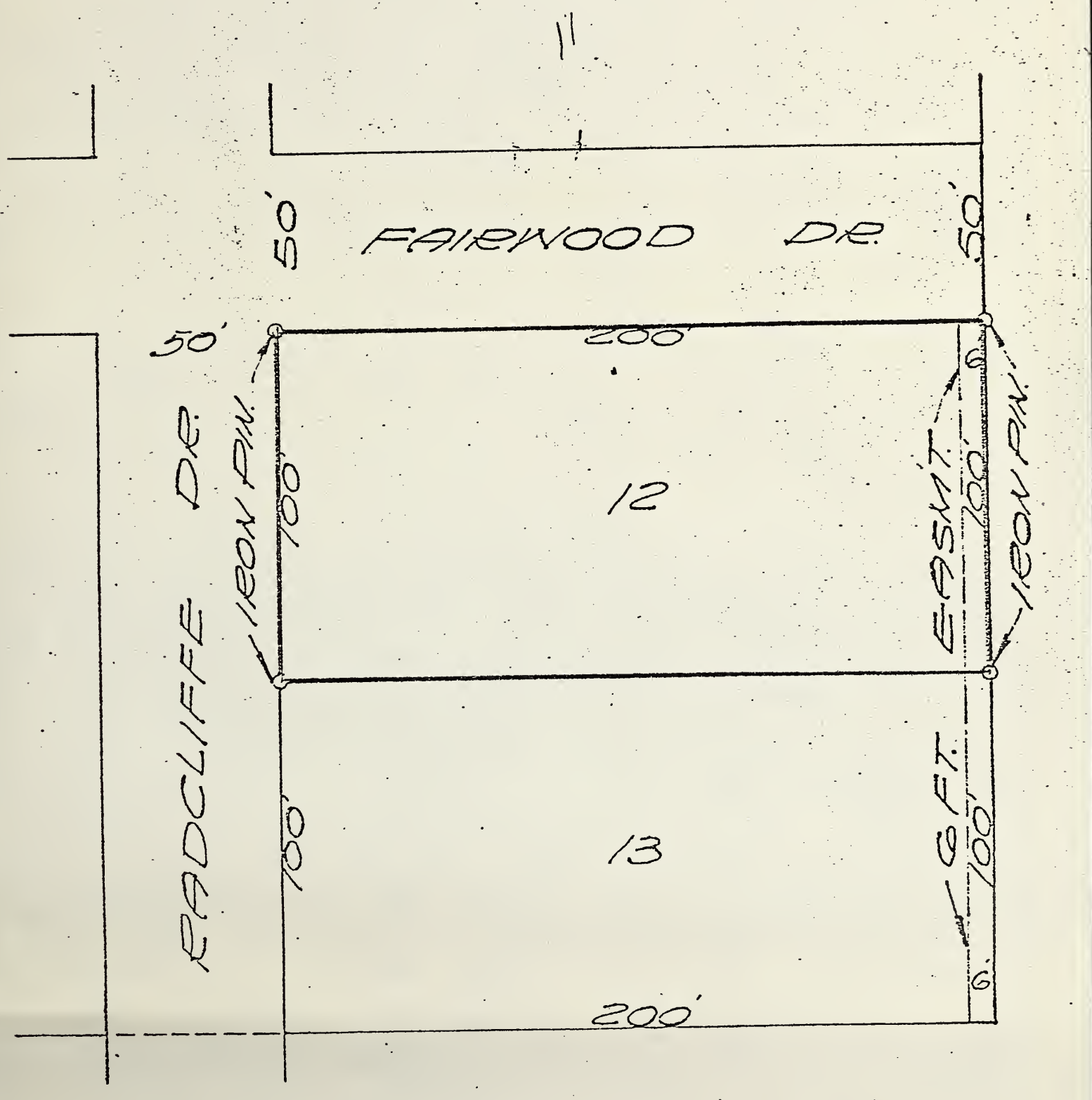
VERLE J. WAGNER
REGISTERED LAND SURVEYOR
3709 ROBINWOOD DRIVE
FORT WAYNE, INDIANA

PHONE 745-5216

This document is a certificate that the undersigned Land Surveyor, registered under the laws of Indiana, has made a resurvey of land and real estate situated in Allen County, Indiana, in accordance with the plat thereof on file in the Office of the Recorder of said County and State. The land below described exists in full dimensions as shown herein in feet and is free from encroachments by adjoining landowners. Any exceptions or discrepancies are below noted.

DESCRIPTION OF PROPERTY: Lot Number 12, Oakland Park Addition, to the City of Fort Wayne, Indiana, as recorded in Plat Book 17, page 78, in the Allen County Recorder's Office.

B 17 P 78

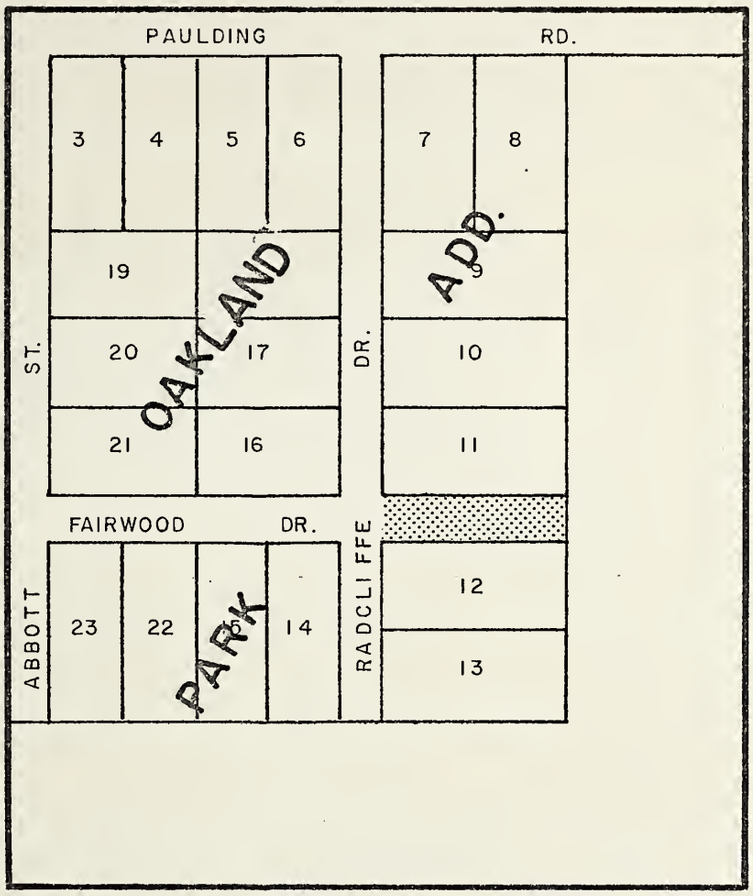


I hereby certify above survey to be correct.

Surveyed 9/10/74.

Verle J. Wagner

REGISTERED LAND SURVEYOR IND. NO. 4351



STREET TO BE VACATED

N

DATE 10-16-74

Form Prescribed by State Board of Accounts

General Form No. 99 P (Rev. 1967)

Ft. Wayne Board of Public Works
(Governmental Unit)

Allen County, Ind.

To JOURNAL-GAZETTE Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines		
Head	number of lines	1
Body	number of lines	30
Tail	number of lines	5
	Total number of lines in notice	36

COMPUTION OF CHARGES

36 lines, 1 columns wide equals 36 equivalent lines at .288¢ cents per line	$ 10.37
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	
Charge for extra proofs of publication (50 cents for each proof in excess of two)	
TOTAL AMOUNT OF CLAIM	$ 10.37

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arvilla De Wald

Date August 22, 19 75

Title CLERK

NOTICE TO PROPERTY OWNERS
Notice is hereby given by the Board of Public Works of the City of Fort Wayne, Indiana, that on the 11th day of August, 1975 the said Board deeming it necessary to make certain improvements adopted the following:
DECLARATORY RESOLUTION
NO. 1399-1975
Resolved by the Board of Public Works ~~of the City of Fort~~ Wayne, Indiana, that it is desired and deemed necessary to vacate Fairwood Drive from the east property line of Oakland Park Addition.
All as shown by a plan of such proposed Vacation as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana.
The cost of said Vacation shall be assessed against the property beneficially affected thereby.
The Board of Public Works has fixed Thursday, September 4, 1975 at 3:30 p.m., as the date on which remonstrances will be heard and considered from persons interested therein or affected thereby and on said day the Board will meet at its office for the purpose of taking final action thereon.

JERRY D. BOSWELL
KARL E. O'NEAL
BETTY LOU NAULT
Board of Public Works
ATTEST: EDNA I. SMITH, Clerk
8/15-22

Y OF
T HERE

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city ~~town~~ of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

8/15-22/75

Arvilla De Wald

Subscribed and sworn to before me this 22nd day of August 19 75

Elmer C. Kaemke
Notary Public

My commission expires October 25, 1975

Form #904

Claim No..... **Warrant No.....**

IN FAVOR OF

.....

.....

$.....

On Account of Appropriation for

.....

Appropriation No.....

Allowed....., 19.....

In the sum of $.....

.....

.....

.....

.....

.....

.....

I have examined the within claim and hereby certify as follows:

That it is in proper form.

That it is duly authenticated as required by law.

That it is apparently { Correct / Incorrect

.....

I certify that the within claim is true and correct; that the services therein itemized and for which charge is made were ordered by me and were necessary to the public business.

.....

.....196.....

TABLE SHOWING PRICE PER LINE AND PER INSERTION FOR

SIZE OF TYPE	11 Em Column (132 Points) Number of Insertions			
	1	2	3	4
5½	.192	.288	.384	.480
6	.176	.264	.352	.440
7	.151	.227	.302	.378
7½	.14	.21	.28	.35
8	.132	.198	.264	.33
9	.117	.176	.234	.293
10	.106	.159	.212	.265
12	.088	.132	.176	.22

Note: Above table is based on a square of 250 ems.

Form Prescribed by State Board of Accounts

General Form No. 99 P (Rev. 1967)

Ft. Wayne Board of Public Works
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

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Additional charge for notices containing rule or tabular work (50 per cent of above amount) —

Charge for extra proofs of publication (50 cents for each proof in excess of two) —

TOTAL AMOUNT OF CLAIM — $ 10.37

DATA FOR COMPUTING COST

Width of single column 11 ems — Size of type 5½ point

Number of insertions 2 — Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arvilla De Wald

Date August 22, 19 75

Title CLERK

NOTICE TO PROPERTY OWNERS

Notice is hereby given by the Board of Public Works of the City of Fort Wayne, Indiana, that on the 11th day of August, 1975 the said Board deeming it necessary to make certain improvements adopted the following:

DECLARATORY RESOLUTION
NO. 1399-1975

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate Fairwood Drive from the east property line of Oakland Park Addition.

All as shown by a plan of such proposed Vacation as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana.

The cost of said Vacation shall be assessed against the property beneficially affected thereby.

The Board of Public Works has fixed Thursday, September 4, 1975 at 3:30 p.m., as the date on which remonstrances will be heard and considered from persons interested therein or affected thereby and on said day the Board will meet at its office for the purpose of taking final action thereon.

JERRY D. BOSWELL
KARL E. O'NEAL
BETTY LOU NAULT
Board of Public Works

ATTEST: EDNA I. SMITH, Clerk

8/15-22

OPY OF
NT HERE

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city ~~town~~ of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

8/15-22/75

Arvilla De Wald

Subscribed and sworn to before me this 22nd day of August 1975

Elmer C. Roemke
Notary Public

My commission expires October 25, 1975

Form #904

Claim No...... **Warrant No.**.....

IN FAVOR OF

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$.....

On Account of Appropriation for

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Appropriation No......

Allowed....., **19**.....

In the sum of $.....

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I have examined the within claim and hereby certify as follows:

That it is in proper form.

That it is duly authenticated as required by law.

That it is apparently { Correct / Incorrect

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I certify that the within claim is true and correct; that the services therein itemized and for which charge is made were ordered by me and were necessary to the public business.

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Note: Above table is based on a square of 250 ems.

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General Form No. 99 P (Rev 1967)

Ft. Wayne Board of Public Works
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

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COMPUTION OF CHARGES

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Additional charge for notices containing rule or tabular work (50 per cent of above amount) —

Charge for extra proofs of publication (50 cents for each proof in excess of two) —

TOTAL AMOUNT OF CLAIM — $ 10.37

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type $5\frac{1}{2}$ point

Number of insertions 2

Size of quad upon which type is cast $5\frac{1}{2}$

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

V. E. Gerken

Date August 22, 19 75

Title Clerk

NOTICE TO PROPERTY OWNERS

Notice is hereby given by the Board of Public Works of the City of Fort Wayne, Indiana, that on the 11th day of August, 1975 the said Board deeming it necessary to make certain improvements adopted the following:

DECLARATORY RESOLUTION
NO. 1400-1975

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate Toledo Street from the East Property line at Lafayette Street to the West property line of Monroe Street.

All as shown by a plan of such proposed Vacation as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana.

The cost of said Vacation shall be assessed against the property beneficially affected thereby.

The Board of Public Works has fixed Thursday, September 4, 1975 at 3:30 p.m., as the date on which remonstrances will be heard and considered from persons interested therein or affected thereby and on said day the Board will meet at its office for the purpose of taking final action thereon.

JERRY D. BOSWELL
CARL E. O'NEAL
BETTY LOU NAULT
Board of Public Works

ATTEST: EDNA I. SMITH, Clerk

8/15-22

OPY OF
ENT HERE

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned V.E.Gerken who, being duly sworn, says that S he is Clerk of the NEWS-SENTINEL a DAILY newspaper of general circulation printed and published in the English language in the city ~~Town~~ of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:

8/15-22/75

V. E. Gerken

Subscribed and sworn to before me this 22nd day of August 19 75

Elmer C. Koenke
Notary Public

My commission expires October 25, 1975

Form #903

Claim No..... Warrant No.....

IN FAVOR OF

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On Account of Appropriation for

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Appropriation No.....

Allowed.....,19.....

In the sum of $.....

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I have examined the within claim and hereby certify as follows:

That it is in proper form.

That it is duly authenticated as required by law.

That it is apparently { Correct / Incorrect

.....

I certify that the within claim is true and correct; that the services therein itemized and for which charge is made were ordered by me and were necessary to the public business.

.....

.....196.....

TABLE SHOWING PRICE PER LINE AND PER INSERTION FOR

SIZE OF TYPE	11 Em Column (132 Points) Number of Insertions			
	1	2	3	4
5½	.192	.288	.384	.480
6	.176	.264	.352	.440
7	.151	.227	.302	.378
7½	.14	.21	.28	.35
8	.132	.198	.264	.33
9	.117	.176	.234	.293
10	.106	.159	.212	.265
12	.088	.132	.176	.22

Note: Above table is based on a square of 250 ems.

Form Prescribed by State Board of Accounts

General Form No. 99 P (Rev 1967)

Ft. Wayne Board of Public Works
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines		
Head	number of lines	1
Body	number of lines	30
Tail	number of lines	5
	Total number of lines in notice	36

COMPUTION OF CHARGES

36 lines, 1 columns wide equals 36 equivalent lines at .288¢ cents per line — $ 10.37

Additional charge for notices containing rule or tabular work (50 per cent of above amount) —

Charge for extra proofs of publication (50 cents for each proof in excess of two) —

TOTAL AMOUNT OF CLAIM — $ 10.37

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type $5\frac{1}{2}$ point

Number of insertions 2

Size of quad upon which type is cast $5\frac{1}{2}$

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

V. E. Gerken

Date August 22, 19 75

Title Clerk

NOTICE TO PROPERTY OWNERS

Notice is hereby given by the Board of Public Works of the City of Fort Wayne, Indiana, that on the 11th day of August, 1975 the said Board deeming it necessary to make certain improvements adopted the following:

DECLARATORY RESOLUTION
NO. 1400-1975

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate Toledo Street from the East Property line at Lafayette Street to the West property line of Monroe Street.

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CARL E. O'NEAL
BETTY LOU NAULT
Board of Public Works

ATTEST: EDNA I. SMITH, Clerk

8/15-22

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12	.088	.132	.176	.22

Note: Above table is based on a square of 250 ems.

DECLARATORY

~~Improvement~~ **Resolution No 1399-75 For** The VACATION of FAIRWOOD DRIVE from The EAST PROPERTY LINE of RADCLIFFE DRIVE TO The EAST PROPERTY LINE of OAKLAND PARK ADDITION.

	OWNER'S NAME	ADDRESS	NUMBER OF LOT	NUMBER OF BLOCK	NUMBER OF O. L.	DESCRIPTION
1	PICKETT, DAVID + BETTY A	5840 [illegible] DRIVE	11			OAKLAND PARK ADD.
2	PICKETT, DAVID + BETTY A	5840 RADCLIFFE DRIVE	12			
3	M.V.L. ASSOCIATES	22255 GREENFIELD ROAD SOUTHFIELD MIC 10AN 48075				S 1052 W of N. 1717.96 of W 662.4 of E 1324.4 W½ NE ¼ 23-2-13 2 Lots Sub.
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61	NOTICES MAILED OR SERVED	NOTICES MAILED OR SERVED				
62	8-22-75	8-26-75				
63	By ep	By ep				
64						
65						
		TOTAL				

8-11-75 ep

1399-75